



1711

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HU YANG
TA YEN CHING
GANGFENG CAI

Serial No.: 09/595,410

Filed: June 16, 2000

For: COMPATIBLE BLEND SYSTEMS OF
OXYGEN BARRIER POLYMERS AND
OXYGEN SCAVENGING POLYMERS

Group Art Unit: 1711

Examiner: J. Mullis

Attorney Docket: 2039.007400/RFE

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**RESPONSE TO ELECTION REQUIREMENT
DATED OCTOBER 4, 2001**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This paper is submitted in response to the Election Requirement dated October 4, 2001, for which the date for response is November 4, 2001.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Assistant Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2039.007400RFE.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C., 20231, on the date below.

November 1, 2001


Cynde Meinhart

In the Election Requirement, the Examiner stated that election is required of a single species from each of the following genera:

| Genus No. | Description of Genus |
|-----------|--|
| I | Polymers set out at p. 7, lines 8-24 or materials containing a moiety of structure I or materials containing a moiety of type II |
| II | oxygen barrier polymers of claim 3 |
| III | oxidation catalysts of claim 12 |
| IV | compatibilizers of claim 10 |
| V | oxygen barrier layers of claim 41 |
| VI | structural layers of claim 43 |

Applicants elect, without traverse, the following species of each of the above genera:

| Genus No. | Elected Species |
|-----------|---|
| I | a material containing a moiety of structure I, wherein q_1 , q_2 , q_3 , q_4 , and r are hydrogen; m is $-(CH_2)_1-$; and the linking group is $-(C=O)-O-(CHR)_0-$ |
| II | polyethylene terephthalate |
| III | cobalt |
| IV | a block copolymer of PVDC with EMCM |
| V | an oxygen barrier layer comprising EVOH |
| VI | a structural layer comprising PET |

The Examiner is invited to contact the undersigned patent agent at (713) 934-4065 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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November 1, 2001